

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/676,831	10/01/2003	Jeffrey J. Darcy	E0295.70160US01

CONFIRMATION NO. 3775

23628  
WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2211

## FORMALITIES LETTER



\*OC000000011567934\*

Date Mailed: 12/24/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$3284** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$4184** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

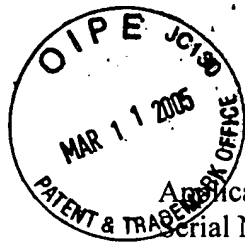
- ) )

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*

UG

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey J. DARCY  
Serial No: 10/676,831  
Filed: October 1, 2003  
For: METHOD AND APPARATUS FOR DISTRIBUTING A LOGICAL  
VOLUME OF STORAGE FOR SHARED ACCESS BY MULTIPLE HOST  
COMPUTERS

Examiner: Unassigned  
Art Unit: 2186 Confirmation. No.: 3775

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 9<sup>th</sup> day of March, 2005.

  
Eileen MacKenzie

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

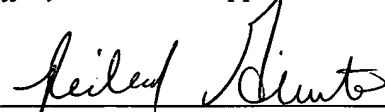
Transmitted herewith for filing are the following documents:

- ☒ Letter In Response To Notice to File Missing Parts Mailed November 25, 2004
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617)720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is necessary, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

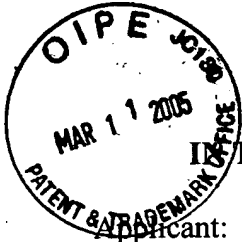
Respectfully submitted,  
Jeffrey J. DARCY, Applicant

By:   
Richard F. Giunta, Reg. No.: 36,149  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

Docket No. E0295.70160US01

Date: March 9, 2005

NDD



DOCKET NO.: E0295.70160US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey J. DARCY  
Serial No: 10/676,831  
Filed: October 1, 2003  
For: METHOD AND APPARATUS FOR DISTRIBUTING A LOGICAL  
VOLUME OF STORAGE FOR SHARED ACCESS BY MULTIPLE  
HOST COMPUTERS

Examiner: Unassigned  
Art Unit: 2186

Confirmation. No.: 3775

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Eileen MacKenzie

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**LETTER IN RESPONSE TO NOTICE TO FILE MISSING PARTS**  
**MAILED NOVEMBER 15, 2004**

Applicant received a Notice to File Missing Parts mailed November 15, 2004 in the above-identified application, indicating that the Declaration is missing. Applicant notes that the Declaration and statutory filing fee were previously submitted to the Patent Office on April 20, 2004 in response to the Notice to File Missing Parts mailed December 23, 2003 and were received by the Patent Office on April 22, 2004. A copy of the response filed April 20, 2004 including the Declaration and filing fee and a copy of the stamped received postcard acknowledging receipt of these papers are enclosed. Accordingly, Applicant respectfully

Serial No.: 10/676,831  
Conf. No.: 3775

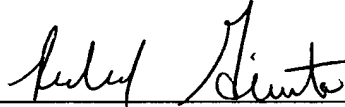
-2-

Art Unit: 2186

requests that the Notice to File Missing Parts mailed November 15, 2004 be withdrawn and a notice to this effect be issued.

Respectfully submitted,

*Jeffrey J. DARCY, Applicant*

By:   
Richard F. Giunta, Reg. No.: 36,149  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

Docket No. E0295.70160US01  
Date: March 9, 2005

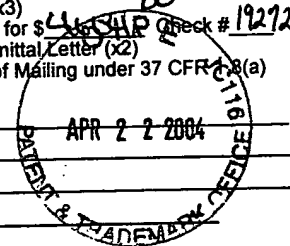


Serial No. 101676,831 File No. 90295.70160501 By: SSG/RFG  
Title: Method And Apparatus For Distributing A...  
Application of Jeffrey J. Darcy WGS Date: 4/22/04

The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

<input type="checkbox"/> Mailing by Express Mail (37 CFR 1.10)	<input type="checkbox"/> Provisional Application Cover Sheet
<input type="checkbox"/> Express Mail Label No. _____	<input type="checkbox"/> Multiple Dependent Claim Fee Sheet
<input type="checkbox"/> Patent Application	<input type="checkbox"/> Inf. Discl. Statement, PTO Form 1449
<input type="checkbox"/> Non-provisional <input type="checkbox"/> Provisional	<input type="checkbox"/> References Cited
Incl. _____ pages, ( _____ pgs) Specification,	<input checked="" type="checkbox"/> Priority Document(s) # _____
( _____ pgs) Abstract, ( _____ pgs) Claims ( _____ # claims)	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts
<input type="checkbox"/> Design Patent Application	<input checked="" type="checkbox"/> Amendment/Response
<input type="checkbox"/> Declaration(s)	<input checked="" type="checkbox"/> Petition for Ext. of Time (x2)
<input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____)	<input checked="" type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input checked="" type="checkbox"/> Assignment and Coversheet
<input checked="" type="checkbox"/> Utility Patent Application Transmittal	<input checked="" type="checkbox"/> Notice of Appeal
<input checked="" type="checkbox"/> Fee calculation sheet (x2)	<input checked="" type="checkbox"/> Brief (x3)
<input checked="" type="checkbox"/> CPA Transmittal	<input checked="" type="checkbox"/> Check for \$ <u>4654.00</u> Check # <u>19272</u>
<input checked="" type="checkbox"/> Verified Statement claiming small entity status	<input checked="" type="checkbox"/> Transmittal Letter (x2)
<input checked="" type="checkbox"/> Request for Approval and Entry of Formal Drawings	<input checked="" type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a)
<input type="checkbox"/> Other _____	

DATE MAILED 4/22/04





DOCKET NO.: E0295.70160US01

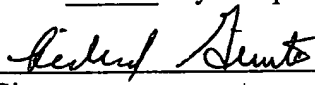
THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey J. DARCY  
Serial No: 10/676,831  
Filed: October 1, 2003  
For: METHOD AND APPARATUS FOR DISTRIBUTING A LOGICAL VOLUME  
OF STORAGE FOR SHARED ACCESS BY MULTIPLE HOST COMPUTERS

Examiner: Unassigned  
Art Unit: 2186 Confirmation. No.: 3775

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 20 day of April, 2004.

  
Signature

Mail Stop Missing Parts  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Part 2 - Notice to File Missing Parts
- ☒ Declaration (executed)
- ☒ Fee Calculation Sheet
- ☒ Petition For A Two Month Extension of Time
- ☒ Return Receipt Postcard

The fee has been calculated as shown below:

**CLAIMS AS AMENDED**

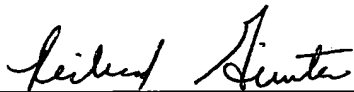
	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addl. Fee
TOTAL CLAIMS	169 -	20 =	0 X	\$ 18.00 =	\$ 0.00
INDEP. CLAIMS	10 -	3 =	0 X	\$ 86.00 =	\$ 0.00
PETITION FOR MONTH EXTENSION OF TIME					= \$420.00
BASIC FILING FEE AND SURCHARGE FEE					= \$900.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					= \$ 4,604.00

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check in the amount of \$4,604.00 is enclosed to cover the \$770.00 basic filing fee, the \$130.00 surcharge fee, the \$420.00 two month extension fee, and the \$3,284.00 additional claims fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

*Jeffrey J. DARCY, Applicant*

By:   
Richard F. Giunta, Reg. No.: 36,149  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617)720-3500

Docket No. E0295.70160US01  
Date: April 20, 2004  
x04/24/04x